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Rwanda*

The present report is a summary of 22 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by the national human rights institution of the State under review accredited in full compliance with the Paris Principles

1. NCHR welcomed the decision of the Government of the Republic of Rwanda ("Rwanda" and "Government", respectively) to issue a standing invitation to all Special Rapporteurs.[2]

2. NCHR welcomed the reforms made in the national legislation in relation to the right to information and the freedoms of expression and association. It also welcomed the revision of the law on genocide ideology and other national legislation relating to the access to justice.[3] It recommended that Rwanda speed up the enactment of the draft bill governing persons and family and the draft bill regarding matrimonial regimes, family donations and successions, both of which were before Parliament.[4]

3. NCHR stated that it had participated in the development of a national human rights action plan, which was yet to be adopted; and recommended that Rwanda accelerate its adoption.[5]

4. NCHR stated that at the universal periodic review that had been held on 24 January 2011 (2011 review),[6] Rwanda had received recommendations to abrogate the provisions on defamation in criminal law,[7] and to bring an end to solitary confinement.[8] It recommended that Rwanda amend the Penal Code by abrogating all provisions relating to defamation and to solitary confinement.[9]

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations[10]

5. JS7 called on Rwanda to expedite the ratification of ICPPED.[11]

6. YPDO recommended that Rwanda take steps to ratify ILO Convention no.169 and to implement the United Nations Declaration on Rights of Indigenous Peoples.[12]

2. Constitutional and legislative framework

7. HRW stated that during the 2011 review, Rwanda had accepted recommendations to revise the genocide ideology law, bringing the definition of the crime in line with international standards.[13] A revised version of the law, which was promulgated in October 2013, contains several improvements. However, several articles retain language that could be used to criminalize free speech.[14] Article 19 stated that the revised law limits the scope of the offence, bringing it closer to the international standards. However, it remained concerned that by retaining the broad concept of "genocide ideology", as distinct from "incitement to genocide", there remains scope for the law to be abused to silence critical voices or commentary on important matters of public interest. Article 19 stated that Rwanda should ensure that the revised law is not manipulated or interpreted in a manner that restricts the exercise of freedom of opinion, expression or association, and that the offence is in line with articles 19 and 20(2) of ICCPR, and the Convention on the Prevention and Punishment of the Crime of Genocide of 1948.[15]

8. Article 19 stated that many provisions in the Penal Code contain vague, illegitimate and disproportionate restrictions on freedom of expressions, such as article 289 relating to insult, article 288 and 290 relating to defamation, and articles 447 and 449 relating to national security.[16] Article 19 called for revision of the Penal Code in line with international standards on freedom of expression.[17]

9. JS7 expressed concern with the criminalization of defamation under article 288 of the Penal Code.[18] It called for this provision to be repealed.[19]

10. PI noted the introduction of a biometrics identity system and recommended the adoption of a comprehensive data protection law that complies with international human rights standards and the establishment of an independent data protection authority.[20]

11. PI stated that the legal framework and oversight of interception of communication falls short of applicable international human rights standards.[21] It recommended a review of the communications surveillance laws, policies and practices with the view to upholding the right to privacy in line with international human rights standards as enshrined in the International Principles for the Application of Human Rights to Communications Surveillance.[22]

B. Cooperation with human rights mechanisms

1. Cooperation with special procedures

12. HRW stated that the Special Rapporteur on the rights to freedom of peaceful assembly and of association visited Rwanda in January 2014 and later that year reported to the Human Rights Council on, among other matters, the prevailing opposition to vigorous debate and free expression of opinions, the Government's hostility toward peaceful initiatives by its critics, and the existence of a legal framework that silences dissent. Rwanda, however, rejected several of the Special Rapporteur's findings.[23]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

13. ICAAD stated that Rwanda continued to face a legacy of cultural tradition that subordinates women. Men remained in control of the household and its money. While property ownership by women has significantly increased in cities, women in rural areas continued to face problems owning land.[24] ICAAD stated that the Constitutional guarantee ensuring women a significant place in governance has made it easier to instill gender-equal norms, but has not helped overcome many challenges faced by women.[25] Cultural biases remained salient with Rwandans still preferring boys over girls and the reluctance of men to implement decisions made by women.[26] Also, cultural biases against women owning property have lingered and customary law continued to compete with statutory law in undermining equal rights for women in this area.[27]

14. ICAAD stated that the legally sanctioned structure of the family still contains discriminatory provisions despite upholding general equality. In particular, Article 206 of the Family Code provides that the husband was the head of the conjugal family.[28]

15. JS4 stated that the birth registration rate was low, and due to the complicated procedures, the number of children that have been issued with birth certificates was much lower.[29] JS4 stated that Article 12 of Law No 14/2008 penalised those parents who fail to register their children within the required period of 30 days. Such a provision would

discourage parents from registering their children once the period of 30 days has lapsed, and the provision is thus not in the best interests of the child.[30] JS4 recommended that Rwanda take measures to ensure the registration of all children immediately after birth through a simplified and inclusive registration procedure.[31]

16. CS stated that the Batwa suffered from extreme racism, and were considered to be uncivilized and ignorant. Due to their ancestry, they suffered ethnic prejudice, discrimination, violence, and general exclusion from society.[32] The Batwa were perceived by the rest of the Rwandan society to be morally, physically and intellectually deficient, gradually becoming social outcasts, and despised for their ethnic origins.[33]

2. Right to life, liberty and security of the person

17. GIEACPC stated that since the 2011 review, Rwanda has adopted new laws, including Law No. 54 Relating to the Rights and Protection of the Child, 2011 (in force in 2012) and the Penal Code 2012, but that those laws do not prohibit all forms of corporal punishment of children.[34] Corporal punishment was unlawful in schools and in the penal system, but it was not fully prohibited in the home, alternative care settings and day care.[35] In the home, parents have a "right of correction" under article 347 of the Civil Code, 1988. The National Integrated Child Rights Policy, adopted by the Ministry of Gender and Family Promotion in 2011 and intended as a guide for legislation, states that "physical abuse, including torture and cruelty against children and corporal punishment of children is prohibited in all settings" and defines all settings to include "homes, communities, schools, all centres and institutions that have children, prisons and detention centres, etc".[36] GIEACPC stated that Article 25 of Law No. 54 provides that parents should reprimand a child with humanity and dignity and must not "traumatise" the child; it also provides for the Minister to make an order specifying "non-violent disciplinary punishments, care and treatments for the child". But Law No. 54 does not explicitly prohibit all corporal punishment. Also, Law No. 54 does not repeal the right of correction as provided for in the Civil Code, and instead provides that this law is pursuant to the Civil Code.[37]

18. HRW stated that there were scores of cases of individuals held unlawfully by the military and the police in unofficial detention centres for several weeks or even months, between 2011 and 2014. Detainees were held incommunicado in Camp Kami and other military camps, and in a police station known as Chez Gacinya, in Kigali. Some detainees were tortured and pressured to confess to alleged crimes or to incriminate others. Between March and November 2014, at least 30 people were reported missing, many of whom were from north-western Rwanda. Some were arrested by state agents and taken to unknown destinations. After several weeks, some of the disappeared reappeared in police detention and were transferred to civilian prisons.[38]

19. HRW stated that hundreds of people from vulnerable groups—including street children, commercial sex workers, and street hawkers— were held unlawfully, without charge or trial, in poor conditions, in an unofficial detention centre commonly known as Kwa Kabuga, or Gikondo, in the Gikondo area of Kigali. HRW stated that the Government claimed that Gikondo is a transit centre, not a detention centre.[39]

20. JS7 commended Rwanda for building new prison facilities and for the efforts that had been taken to reduce overcrowding in prisons. It expressed concern that not all staff at the Rwanda Correctional Services had undergone human rights training and recommended that Rwanda organise this training all for prison staff.[40]

21. JS7 stated that although Rwanda rejected a recommendation on human trafficking at the 2011 review,[41] in 2012 it criminalized human trafficking in the Penal Code. It expressed concern about the lack of a mechanism to provide support to victims.[42]

3. Administration of justice, including impunity, and the rule of law

22. HRW stated that during the 2011 review, Rwanda accepted recommendations to reform the justice system and to eliminate corruption and political interference.[43] Despite legal reforms and administrative improvements, the judiciary still lacked independence, leading to unfair trials in a number of politically sensitive cases. Judges, prosecutors, and witnesses remained vulnerable to Government pressure, especially in cases involving alleged Government opponents.[44] HRW recommended that Rwanda strengthen the independence of the justice system and prevent and refrain from political interference in prosecutions and trials.[45]

23. HRW stated that the Rwanda has used charges such as "endangering state security" or "inciting public disorder" against real or suspected opponents of the Government. Some of those accused of these and related offenses have been detained unlawfully and tortured. The courts have failed to investigate accused's torture claims and to rule out the admission of confessions and accusations allegedly obtained under torture. Several accused in those cases were convicted after receiving unfair trials.[46]

24. JS7 expressed concern with the delay in the adoption of a strategic plan for the Legal Aid Policy, as well as the Legal Aid Bill.[47] It was also concerned about the likely misuse of legal aid, as there was no clear and objective "Means Test" as a criterion to determine indigence.[48]

25. JS9 stated that at the 2011 review, Rwanda had accepted a recommendation to continue the legal reform process, including the incorporation of a plan of action to ensure access to justice by children.[49] Rwanda has adopted the Justice for Children Policy and Strategic Plan. However, children's courts were lacking at all levels, leaving a gap in comprehensively addressing situations of children dealing with justice.[50]

26. YPDO stated that the Batwa community had limited access to justice and that violations of their rights were committed with impunity. Cases of such violations were rarely investigated by the police and perpetrators were not brought to justice.[51]

4. Right to privacy

27. JS8 stated that the community police committees was a component of the strategy of the Rwandan National Police to address local problems, particularly gender based violence. By reporting women to the police for illegal abortions, the committees violated those women's right to privacy.[52]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

28. EAJCW stated that the neutral stance in political affairs of the Christian community of Jehovah's Witnesses affected their employment, education, and their ability to register civil marriage vows.[53] EAJCW stated that Jehovah Witness pupils were compelled to participate in activities in schools that violated their freedoms of conscious and religion.[54] It stated that Rwanda should discontinue the expulsion of pupils from schools for their refusal to sing the national anthem and to participate in religious ceremonies.[55] Also, Jehovah's Witnesses were dismissed from their secular work for their conscientious refusal to take an oath while holding the national flag. Their request to take the oath holding the Bible had been refused.[56]

29. Article 19 stated that following the acceptance of several recommendations from the 2011 review,[57] reforms have been initiated and noted the adoption of a new media policy on 1 June 2012 and the establishment of the Rwanda Media Commission in this regard.[58]

30. JS7 state that the enactment of Law N° 02/2013 of 08/02/2013 provided for media self- regulation.[59] JS1 stated pursuant to this law, the Rwanda Media Commission was established as a media self-regulatory body with the responsibility for advocating for a press-conducive environment and also increasing the capacity of the media.[60] JS7 expressed concern that article 4 (2) of the law grants Rwanda Utilities Regulatory Authority the power to regulate the audio and visual media, thereby undermining media self–regulation.[61] JS7 recommended an amendment to article 4(2) of the law to ensure a clear distinction in the mandates of Rwanda Media Commission and Rwanda Utilities Regulatory Authority, with the latter's responsibility reduced to the regulation and distribution of frequencies to audio and visual media.[62]

31. RSF-RWB stated that the legal framework provided by Law N° 02/2013 of 08/02/2013 was insufficient, as many of its provisions continued to pose a threat of heavy state-control over the media and over the freedom of journalists to exercise their profession. Article 9 of this law which limited freedom of opinion and information, was vague about the circumstances under which the media can be restricted and do not offer the necessary legal guarantees to ensure the full exercise of the freedom of information.[63]

32. Noting Article 34 of the Constitution of the Republic of Rwanda (Constitution), the Media Law and Access to Information Law, JS2 stated that the domestic legal framework for the protection of the right to freedom of expression was commendable. At the regional and international levels, Rwanda was bound by key human rights obligations. However, JS2 was concerned by the vast and a growing disconnection between law and practice, as the media was severely restricted. It stated that journalists were subjected to judicial and non-judicial persecution, and cited cases in this regard.[64] HRW stated that only a few journalists were willing to engage in critical and investigative reporting on alleged human rights abuses due to years of threats, intimidation, and prosecution.[65] JS2 stated that the media environment for journalists remained highly restrictive, and under the de facto control of the Government.[66] Article 19 stated that there has been Government interference with the work of the Rwanda Media Commission.[67]

33. Article 19 stated that during the 2011 review, Rwanda had committed to take measures to protect human rights defenders, journalists and media workers, and to ensure that allegations of harassment of journalists are impartially investigated and perpetrators are brought to justice.[68] JS1 stated that journalists faced threats, intimidation, and prosecution in the course of their work,[69] and cited a number of cases in this regard.[70] It called on the authorities to investigate and prosecute all allegations of violence and intimidation,[71] a call also made by Article 19.[72] Also, measures should be taken to protect journalists from harassment and attack.[73]

34. Article 19 noted the enactment of the Access to Information Law (No. 04/2013) in March 2013, and expressed concern about the effective implementation of this law due numerous barriers, which included a pervasive culture of secrecy in Government and the fear of punishment for disclosure of information.[74] ODESUI noted challenges in the implementation of the law.[75]

35. JS1 stated that Rwanda should prioritise the implementation of the Access to Information Law. The appointment of information officers should be expedited and implementation arrangements in all agencies should be systematically set-up. There should also be awareness-raising of citizens' rights to information and the manner in which such rights could be exercised.[76]

36. ISHR stated that at the 2011 review, Rwanda had accepted all recommendations specific to human rights defenders, mainly calling for better protection against harassment and intimidation.[77] The efforts made by Rwanda in the protection of human rights,

presented a very challenging environment for human rights defenders, who commonly face harassment, intimidation, arbitrary arrests and unfair trials.[78]

37. JS2 also noted that at the 2011 review, Rwanda had accepted recommendations, committing, inter alia, to ensuring that human rights defenders are not subjected to harassment and intimidation.[79] However, civil society organisations, non-governmental organisations and individual human rights defenders have continued to face escalating intimidation and reprisals in the course of, and as consequence of, their work.[80] JS2 stated that it was a matter of deep concern that the Government continued to target and attack human rights defenders engaged in legitimate activity,[81] and has cited cases in this regard.[82]

38. ISHR recommended that Rwanda: (a) enact specific laws and policies recognising and protecting the work of human rights defenders and recognising the right of safe and unhindered access to international human rights mechanisms; (b) condemn and punish acts of intimidation and reprisals against human rights defenders who engage with the United Nations and regional human rights systems; (c) combat impunity by ensuring the prompt, thorough and impartial investigation of all violations against human rights defenders leading to the prosecution of alleged perpetrators and access to effective remedies for victims; and (d) demonstrate strong, high-level political support for human rights defenders through public statements by state officials recognising their important and legitimate work.[83]

39. JS7 expressed concern with article 30 of the Law N°04/2012 of 17/02/2012 governing the organization and the functioning of national non-governmental organizations that gives a broad mandate to Rwanda Governance Board to monitor the activities of non-governmental organizations, and has at times led to undue interference in the functioning of non-governmental organizations. JS7 also expressed concern with Article 38 which required non-governmental organizations to inform administrative authorities and security organs if debates were anticipated in the general assembly meetings; the registration requirement that prospective non-governmental organizations must secure recommendation letters from Districts in which they intended to work; and the requirement of applying for a temporary permit, which undermines the credibility of the non-governmental organizations.[84]

40. ISHR stated that the 2012 law on non-governmental organizations imposed excessive and onerous bureaucratic requirements and difficulties in obtaining legal personality. International non-governmental organizations have also had limitations imposed on the use of their budget and are prevented from obtaining the 5 years registration granted to national non-governmental organizations under the law.[85] ISHR recommended that Rwanda guarantee a vibrant civil society and the independence of non-governmental organizations by revising and modifying (together with civil society) the laws affecting the registration and operations of non-governmental organizations, and by sanctioning excessive interference by state officials.[86]

41. HRW stated that independent civil society organizations remained extremely weak as a result of years of state intimidation and infiltration.[87] JS2 stated that the Government has overtly or covertly infiltrated almost all civil society organisations and human rights groups operating in Rwanda, especially those who have a history of criticising Government actions and calling the state to account,[88] and cited cases in this regard.[89] JS2 expressed concern about the failure on the part of the Government to meaningfully implement the recommendations it had accepted at the 2011 review relating to civic space and human rights defenders.[90] It called on Rwanda to create a genuinely enabling environment for journalists, human rights defenders, and wider civil society.[91] It recommended inter alia investigating all threats to civil society representatives and human rights defenders.[92]

42. JS2 stated that although freedom of assembly was guaranteed by the Constitution, peaceful protests were in reality only allowed if they supported Government policy or actions.[93]

43. JS7 stated that mandatory membership of political parties to the Forum of Political Parties has been removed by the Organic Law N° 10/2013/ of 11/07/2013 governing Political Organizations and Politicians. It expressed concern with article 20 of this law which provides that authority must be requested by political parties intending to hold demonstrations,[94] and recommended amendment of this provision.[95] It was also concerned by the limited capacity building support given to those political parties that were not members of the Forum of Political Parties.[96]

44. HRW stated that opposition political parties seeking to challenge the Rwandan Patriotic Front were unable to operate in a meaningful way.[97] JS6 stated that opposition parties were hindered from engaging in free political expression and participation in politics and cited a number of cases in this regard.[98] It recommended that the Government allow opposition parties to carry out their activities without intimidation or hindrance.[99]

45. JS7 expressed concern about the low representation of women in leadership and decision-making positions in local government.[100]

6. Right to social security and to an adequate standard of living

46. JS6 stated Rwanda had one of the highest rates in the region of chronic malnutrition of children younger than five years of age, which resulted in stunting. Food insecurity and malnutrition was not as a result of the unavailability of food, but rather as a consequence of difficulties to access food. Government support focused on market orientated agricultural production and not on the small-scale famers who experienced food insecurity and poverty elevation. JS6 stated that economic development strategies which focused on enhancing market and export oriented agricultural production could further aggravate already existing food insecurity.[101]

47. JS9 noted the high rates of malnutrition and stunting among children,[102] and stated that poverty was the main cause for providing children with little or non-nutritious foods.[103]

48. JS6 stated that Rwanda promoted rapid urbanization and commercial development in Kigali to the detriment of adequate housing for the population. Houses and land of low-income city dwellers were expropriated without the necessary compensation and relocation of the effected people.[104]

7. Right to health

49. JS3 stated that measures should be taken to reduce the high rate of maternal mortality and improve access to maternal health information and services including ante-natal, delivery, and post-natal care. Such measures should include increasing the number of health care facilities equipped and staffed to handle basic and emergency obstetric care, especially in low-income and rural areas, and increasing the number of skilled health care providers able to offer quality and convenient antenatal care and post-natal care, as well as skilled assistance during childbirth. Free transportation to quality health care facilities should be available for women in low-income and in rural areas.[105]

50. JS8 noted that Rwanda supported the recommendation to ensure that all discriminatory provisions in the legislation were abolished.[106] In 2012, Rwanda adopted a new penal code that modifies the grounds for abortion.[107] JS3 stated that Rwanda should ensure that women and girls have access to safe abortion services,[108] but that the penal code has provisions that limit access to abortions, by imposing requirements such as certification from a competent court that the pregnancy resulted from rape, incest, or forced marriage.

Stigma, fear and family pressure prevented women and girls from reporting incest or sexual violence and who were reluctant to engage with the justice system.[109] JS8 recommended that Rwanda remove the restrictive legal and administrative barriers to abortion that are included in articles 165 and 166 of the penal code; and ensure that the penal code is in conformity with the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, particularly Article 14 (c), by removing all legal and administrative barriers, specifically the requirement of a court order and permission or medical authorization of two doctors in order to obtain an abortion.[110]

51. JS7 expressed concern with the management of the community based health insurance scheme commonly known as *Mutuelle de santé*, particularly the frequent lack of some essential medication in some public health centres.[111]

8. Right to education

52. JS4 stated that at the 2011 review, Rwanda accepted recommendations to improve the enjoyment of the right to education, through universal primary education and greater investment in the education sector.[112] The 'Nine Years Basic Education' policy was commendable but there were issues concerning the ratio of pupils to teachers, the quality of the education to which pupils have access and the disparity between public and private education.[113] JS4 stated that the "double-shift" education system where schools are run twice daily, with some children attending in the morning and others in the afternoon, was created without consideration for the welfare of the teachers.[114] The significantly high teacher-pupil ratio has led to degradation in the quality of education.[115] There were few available learning materials. Laboratories were in need of equipment and libraries had insufficient books.[116] JS4 stated that parents with financial means generally sent their children to private schools because of the belief that that those institutions provided an environment and opportunities conducive to learning.[117]

53. JS9 stated that while primary education was free, schools operations' costs determined by the parent-teacher associations constituted a burden to poor parents.[118] JS9 stated that the challenges in delivering quality education included lack of teacher training courses, low salaries and long working hours for teachers, poor school infrastructure leading to over-crowded class rooms, and low availability of school materials.[119]

54. JS7 expressed concern about: (a) the lack of electricity in some schools in remote areas; (b) the lack of computer literacy as a subject in the revised Science and Elementary Technology Curriculum for upper primary school; and (c) the persistent teachers' incentive fees requested from parents in some public schools and the introduction of school feeding programmes for which the parents are required to pay the costs.[120]

55. JS9 stated that access to secondary school remained a challenge with a net enrolment rate of 36.4 percent as of 2013. There was a geographical disparity with a higher percentage of children in urban areas attending school as compared to children in the rural areas.[121]

56. JS9 stated that employment of children in labour activities outside of school represented a critical challenge to school attendance and completion.[122]

9. Cultural rights

57. CS stated that the challenges faced by the Batwa from not being able to identify themselves as such, posed a serious cultural threat to the small population, and the Government's integration policy was threatening the extension of the Batwa culture.[123] This lack of identity has caused new generations of the Batwa to lose their distinct hunter-gatherer identity and their deep knowledge of the forests.[124] YADO recommended that Rwanda adopt measures to promote and protect the traditional and indigenous knowledge of the Batwa.[125]

10. Persons with disabilities

58. JS9 stated that access to and availability of health services for children with disabilities, especially those with intellectual disabilities, remains a challenge. Discrimination of those children was widespread with some families ashamed of them and thus not ensuring their access to health care.[126]

59. JS9 stated that despite the presence of a comprehensive policy framework, children with disabilities faced numerous challenges to the full enjoyment of their right to education.[127]

11. Minorities and indigenous peoples

60. CS stated that the Batwa were not recognised as the indigenous people of Rwanda, but rather as a historically marginalized group. Law Number 47/2001 on Prevention, Suppression and Punishment of the Crime of Discrimination and Sectarianism (Divisionism Law), which banned identification by ethnicity, prevented the enactment of specific laws to protect the rights of the Batwa. The Batwa were a distinct group with distinct challenges, none of which could be addressed under the Divisionism Law.[128]

61. CS stated that for indigenous peoples, the right to self-determination established a right to own and control their territories and their resources and to be effectively involved in decision-making processes that may affect them. CS recommended that Rwanda officially recognize the Batwa people as Indigenous Peoples; and evaluate and align all legislation and Government programs with the United Nations Declaration on the Rights of Indigenous Peoples.[129]

62. CS and UNPO stated that the Batwa were evicted from their ancestral lands without compensation, which resulted in them becoming landless and living in poverty.[130] UNPO stated that legal recourse for the Batwa were almost inexistent, as the Rwandan property law provided little room for unofficial African land rights of ancestry.[131]

63. CS stated that by not being able to access their ancestral lands, the Batwa have since turned to pottery as a main source of their income. However, they faced significant competition due to cheap industrialized products and a struggle with clay harvest, as marches where clay was found, were now being cultivated for the planting of rice.[132] UNPO stated that the Batwa have been forced into slavery-like conditions, working the land of other Rwandans in exchange for food, or begging to make a living.[133]

64. YPDO stated that Rwanda accepted the recommendation to reduce poverty in the Batwa community.[134] However, the Government was yet to establish the legal policy and strategy to tackle the special status and needs of the Batwa community in the area of economic, social and cultural life in the country.[135]

65. CS stated that the housing conditions of the Batwa were far below minimum standards, and not suitable for human habitation.[136] CS stated that there was a complete lack of representation of the Batwa in Government, as there was only one Batwa representative in the Senate. The minimum requirement to be a candidate was six years of education effectively excluding many Batwa.[137] CS stated that despite the Government policy effectively exempting the Batwa children from paying school fees, they faced many difficulties in education. Poor living conditions and hunger affected the ability of Batwa children to attend school and to achieve good education outcomes. Many Batwa children faced discrimination at school and were often chased away from the classroom.[138]

66. CS stated that despite the enactment of a health insurance scheme for the most vulnerable, many Batwa remained uninsured. With poor education and health information, the Batwa were vulnerable to high rates of HIV/AIDS and sexually transmitted infections. High infant mortality was common and there was a lack of access to sufficient maternal

health care.[139] UNPO stated that many Batwa could not access the health insurance scheme because of the lack of official health documents, the required payment of ten percent of the costs of medical treatments, health centres being very far from where the Batwa lived.[140]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

Article 19	ARTICLE 19, London, UK;
CS	Cultural Survival, Cambridge, Massachusetts, USA;
EAJCW	The European Association of Jehovah's Christian Witnesses, Kraainem, Belgium;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, UK;
HRW	Human Rights Watch, Geneva, Switzerland ;
ICAAD	International Centre for Advocates Against Discrimination, New York, USA;
ISHR	International Service for Human Rights, Geneva, Switzerland;
ODESUI	Open Democracy and Sustainable Development Initiative, Kigali, Rwanda;
PI	Privacy International, London, UK;
RSF-RWB	Reporters San Frontieres, Paris, France;
UNPO	Unrepresented Nations and Peoples Organization, Brussels, Belgium
YPDO	The Youth Potters Development Organization, Kigali, Rwanda;

Joint submissions:

JS1	African Freedom of Information Centre, Kampala, Uganda, Open Democracy & Sustainable Development Initiative and Human Rights First Rwanda Association, Rwanda (Joint Submission 1);
JS2	CIVICUS: World Alliance for Citizen Participation, South Africa, and The East and Horn of Africa Human Rights Defenders Project, Uganda (Joint Submission 2);
JS3	Center for Reproductive Rights, New York, United States of America and Great Lakes Initiative on Human Rights and Development, Rwanda (Joint Submission 3);
JS4	Marist International Solidarity Foundation, Geneva, Switzerland, and Franciscans International (Joint Submission 4);
JS5	la Ligue des Droits de la personne dans la région des Grands Lacs (LDGL), l'Association Rwandaise pour la Promotion et la Connaissance des Droits de l'Homme (ARPCDH), la Maison de Droit (MDD) et le Conseil National des Organisations Syndicales Libres au Rwanda (COSYLI), Kigali, Rwanda (Joint Submission 5);
JS6	Ecumenical Network Central Africa (OENZ), Berlin, Germany, AGEH, Brot für die Welt-Evangelischer Entwicklungsdienst, MISEREOR, pax christi, Vereinte Evangelische Mission, Germany (Joint Submission 6);
JS7	CHRD (Center for Human Rights and Development), GLIHD (Great Lakes Initiative for Human Rights and Development), Governance for Africa (GFA), HDI (Health Development Initiative), and members of the LEGAL AID FORUM comprising of: AJAR (Association des Jeunes Avocats du Rwanda), ADEPE (Action pour le Développement du Peuple), ADL (Association Rwandaise pour la Défense des Droits de la Personne et des Libertés Publiques), AJPRODHO-JIJUKIRWA(Association de la Jeunesse pour la Promotion des Droits de l'Homme et du développement), ARDHO (Association Rwandaise pour la Défense des Droits de l'Homme), COPORWA (Communauté des Potiers du Rwanda), HAGURUKA NGO, HRFRA (Human Rights First Rwanda Association), INALAS (Inara Legal Aid Services), INILAK–LAC (Independent Institute of Lay Adventists of Kigali- Legal Aid Clinic), LIPRODHOR (Ligue Rwandaise pour la Promotion et la Défense des Droits de l'Homme), The Network of Lawyers of Hope Rwanda, MDD (Maison de Droit), MPEDH (Mouvement des Peuples pour l'Education aux Droits Humains) and NCR (Non Crime Rwanda), Kigali, Rwanda (Joint Submission 7);

JS8	Great Lakes Initiative for Human Rights and Development, Ipas and Sexual Rights Initiative, Ottawa, Canada (Joint Submission 8);
JS9	Collectif des Ligues et Associations de Défense des Droits de l'Homme au Rwanda – Rwanda Child Rights CSOs Coalition "Umwana ku Isonga" (Joint Submission 9).

National human rights institution:

NCHR	The National Commission for Human Rights of Rwanda, Kigali, Rwanda.

[2] NCHR, p. 4, para. 10.
[3] NCHR, p. 5, para. 14.
[4] NCHR, p. 5, para. 15.
[5] NCHR, p. 5, para. 18.
[6] A/HRC/17/4.
[7] See A/HRC/17/4, p. 18, para. 80.3 (Canada).
[8] See A/HRC/17/4, p. 15, para. 78.10 (United Kingdom and Italy). Rwanda considered that these recommendations have already been implemented (A/HRC/17/4, p. 15, para. 78).
[9] NCHR, p. 6, para. 20.
[10] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[11] JS7, p. 10.
[12] YPDO, p. 5.
[13] See A/HRC/17/4, p. 16, para. 79.3 (Switzerland, Austria, Italy and Belgium). Rwanda considered those recommendations to be in the process of being implemented (p. 15, para. 79).
[14] HRW, p. 3.
[15] Article 19, p. 5, para. 28. See also JS6, p. 11.
[16] Article, 19, p. 3, paras. 12 to16.
[17] Article 19, p. 5, para. 28.
[18] JS7, p. 3. See also RSF-RWB, p. 2.
[19] JS1, p. 12, para. 30.
[20] PR, para. 34.
[21] PI, para. 15.
[22] PI, para. 34.
[23] HRW, p. 2.

[24] ICAAD, para. 1.
[25] ICAAD, para. 7.
[26] ICAAD, para. 8.
[27] ICAAD, para. 9.
[28] ICAAD, para. 10.
[29] JS4, p. 5, para. 20.
[30] JS4, p. 5, para. 21.
[31] JS4, p. 6, para. 22. JS4 also made other recommendations (p. 6, para. 22).
[32] CS, p. 5.
[33] CS, p. 5. See also UNPO, p. 5.
[34] GIEACPC p. 1, para. 1.2.
[35] GIEACPC, p. 2, para. 2.1. See also JS9, paras. 5.1-5.4.
[36] GIEACPC, p. 2, para. 2.2.
[37] GIEACPC, p. 2, para. 2.3.
[38] HRW, pp. 3-4. HRW made recommendations (p. 5).
[39] HRW, p. 4. HRW made recommendations (p. 5).
[40] JS, p. 7.
[41] See A/HRC/17/4, p. 16, para. 81.2 (Malaysia).
[42] JS7, p. 10.
[43] See A/HRC/17/4, para. 79.7 (Slovakia, United States, Austria, Australia and Switzerland). Rwanda indicated that the recommendations were in the process of being implemented (para. 79).
[44] HRW, p. 4.
[45] HRW, p. 5.
[46] HRW, p. 4.
[47] JS7, p. 5.
[48] JS7, p. 5.
[49] JS9, para. 6.1; is referring to A/HRC/17/4, para. 79.9 (Cambodia);
[50] JS9, para. 6.2. JS9 made recommendations (para. 6.3).
[51] YPDO, p. 4.
[52] JS8, paras. 15 and 16.
[53] EAJCW, para. 3.
[54] EAJCW, paras. 12-16.
[55] EAJCW, para. 39 (1).
[56] EAJCW, paras. 19- 27.
[57] A/HRC/17/4, p. 17, paras. 79.10 to 79.16.
[58] Article 19, p. 4, paras. 17 to 22.
[59] JS7, p. 3.
[60] JS1, p. 5, para. 6.
[61] JS7, p. 3.
[62] JS7, p.3.
[63] RSF-RWB, p. 2.
[64] JS2, pp. 4-6, paras. 2.1-2.9.
[65] HRW, p. 1. HRW made a recommendation in this regard (p. 5). See also RSF-RWB, pp. 3 to 5.
[66] JS1, p. 3, para. 1.8.
[67] Article 19, p. 4, paras. 17 to 22.
[68] Article 19, p. 4, para. 23.
[69] JS1, p. 5, para. 7.
[70] See JS1, pp. 5 to7, paras. 8 to11. See also Article 19, p. 4, para. 24.
[71] JS1, p. 12, para. 31. See also, JS7, p. 3.
[72] Article 19, p. 5, para. 28.
[73] Article 19, p. 5, para. 28.
[74] Article 19, p. 5, paras. 26 and 27; for other barriers to the effective implementation of the access to information Law, see p. 5, para. 27.
[75] ODESUI, p. 4.
[76] JS1, p. 11, para. 24. See also Article 19, p. 5, paras. 25 to 28; and ODESUI, p. 5.
[77] ISHR, p. 1. For recommendations see A/HRC/17/4, para. 79.11 (Brazil) and para. 80.7 (Sweden).

[78] ISHR, p. 1.
[79] For recommendations see A/HRC/17/4, para. 79.11 (Brazil) and para. 80.7 (Sweden).
[80] JS2, p. 2, paras. 1.5 and 1.6.
[81] JS2, p. 6, para. 3.1.
[82] JS2, p. 6, paras. 3.2 to 3.5.
[83] ISHR, para. 6.
[84] JS7, p. 4. JS7 made recommendations (p.5).
[85] ISHR, para. 2.
[86] ISHR, para. 6.
[87] HRW, p. 2.
[88] JS2, p. 7, para. 4.1. It made recommendations (p. 10, para. 6.3).
[89] JS2, pp. 7 to 8, paras. 4.2 and 4.3.
[90] For recommendations see A/HRC/17/4, para. 79.11 (Brazil) and para. 80.7 (Sweden).
[91] JS2, p. 8, para. 6.
[92] JS2, p. 9, para. 6.2.
[93] JS2, p. 8, para. 5.1. It made recommendations (p. 10, para. 6.4).
[94] JS7, p. 4.
[95] JS7, p. 5.
[96] JS7, p. 4.
[97] HRW, p. 2.
[98] JS6, pp. 4 to 8.
[99] HRW, p. 5.
[100] JS7, p. 9.
[101] JS6, pp. 3 to 4.
[102] JS9, paras. 4.1 and 4.3.
[103] JS9, para. 4.4.
[104] JS6, pp. 2 to 3.
[105] JS3, p. 10, para. 7 (1).
[106] See A/HRC/17/4, paras. 78.2 (Slovenia), 78.6 (Morocco and Burkina Faso) and 79.5 (Moldova).
[107] JS8, para. 17.
[108] JS3, p. 10, para. 7 (2).
[109] JS3, pp. 3 to 4.
[110] JS8, paras. 29 and 30.
[111] JS7, p. 8.
[112] JS4, p. 2, para. 4; is referring to A/HRC/17/4, para. 77.19 (Burundi).
[113] JS4, p. 2, paras. 4-6.
[114] JS4, p. 3, para. 9.
[115] JS4, p. 3, para. 10.
[116] JS4, p. 3, para. 11.
[117] JS4, p.4, para. 14.
[118] JS9, para. 3.1; is referring to A/HRC/17/4, paras. 77.18 (Chile) and 79.19 (Burundi).
[119] JS9, para. 3.6. JS9 made recommendations (para. 3.11).
[120] JS7, p. 7. JS7 made recommendations (p.8).
[121] JS9, para. 3.3.
[122] JS9, para. 3.10.
[123] CS, p. 4.
[124] CS, p. 4.
[125] YADO, p. 6.
[126] JS9, para. 4.5.
[127] JS9, para. 3.9.
[128] CS, p. 3. See also ICAAD, paras. 19 and 20 and UNPO, p. 6.
[129] CS, p. 7.
[130] CS, pp. 4-5 and UNPO, p. 3.
[131] UNPO, p. 3.
[132] CS, pp. 4-5.
[133] UNPO, p. 4.

[134] YADO, p. 2; is referring to A/HRC/17/4, p. 17, para. 79.20 (Chile).
[135] YADO, p. 3.
[136] CS, p. 5.
[137] CS, p. 6. See also ICAAD, para. 20.
[138] CS, p. 6. See also UNPO, p. 5.
[139] CS, p. 7.
[140] UNPO, p. 5.